

## Message Text

SECRET

PAGE 01 STATE 186644  
ORIGIN SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 DODE-00 CIAE-00  
INRE-00 /026 R

DRAFTED BY ACDA/ISP/SA:GPITMAN  
APPROVED BY ACDA/ISP/SA:VEALESSI  
NSC:RMOLANDER  
OSD:HSAUERWEIN  
JCS:JIGRANGER  
PM:EMIFFT  
S/S:JETHYDEN  
-----040075 082256Z /72-65  
O 082224Z AUG 77  
FM SECSTATE WASHDC  
TO USMISSION GENEVA IMMEDIATE  
USMISSION NATO IMMEDIATE

S E C R E T STATE 186644

EXDIS/USSALT TWO

E.O. 11652: XGDS-3

TAGS: PARM

SUBJECT: NON-CIRCUMVENTION

REFERENCE: (A) STATE 146936; (B) NATO 07538

1. DELEGATION IS AUTHORIZED TO TABLE THE FOLLOWING LANGUAGE FOR A NON-CIRCUMVENTION PROVISION: "IN ORDER TO ENSURE THE VIABILITY AND EFFECTIVENESS OF THIS AGREEMENT, EACH PARTY UNDERTAKES NOT TO CIRCUMVENT THE PROVISIONS OF THIS AGREEMENT." DELEGATION SHOULD CONTINUE TO REJECT THE SOVIET NON-TRANSFER PROVISION STATING THAT THE U.S. NON-CIRCUMVENTION PROVISION IS ALL THAT IS REQUIRED.

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2. DELEGATION SHOULD AVOID SPECIFICS IN DISCUSSION OF PROPOSAL WITH THE SOVIETS, AND SHOULD TAKE THE POSITION THAT QUESTIONS ARISING UNDER THE U.S. PROVISION WOULD BE CONSIDERED ON A CASE-BY-CASE BASIS BETWEEN THE TWO SIDES. IF PRESSED, DELEGATION MAY INFORM SOVIETS THAT SUCH A PROVISION WOULD NOT AFFECT EXISTING INTERNATIONAL COMMITMENTS OF THE

TWO SIDES.

3. DELEGATION TREATMENT OF NON-CIRCUMVENTION SHOULD BE CONSISTENT WITH INSTRUCTIONS FOR JUNE 27 CONSULTATIONS IN

NAC (REF A). YOU SHOULD AVOID SPECIFICS, HOWEVER, IN RESPONDING TO SOVIET PROBING AND AVOID DISCUSSING VARIATIONS TO THIS PROPOSAL.

4. DELEGATION SHOULD INFORM U.S. NATO OF DAY ON WHICH LANGUAGE WILL BE TABLED.

5. FOR USNATO: AS PROMISED IN RECENT NAC CONSULTATIONS (REF B) YOU SHOULD INFORM NAC OF THE U.S. DECISION TO TABLE ABOVE LANGUAGE FOR NON-CIRCUMVENTION PROVISION ON THE DAY ON WHICH IT IS TABLED BY U.S. SALT DELEGATION. CHRISTOPHER

SECRET

NNN

## Message Attributes

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**Disposition Date:** 22 May 2009  
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**Previous Handling Restrictions:** EXDIS  
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**Review Markings:**  
Margaret P. Grafeld  
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